

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: NEW ENGLAND COMPOUNDING  
PHARMACY, INC., PRODUCTS LIABILITY  
LITIGATION**

MDL No. 2419

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO –31)**

On February 12, 2013, the Panel transferred 4 civil action(s) to the United States District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 924 F.Supp.2d 1380 (J.P.M.L. 2013). Since that time, 280 additional action(s) have been transferred to the District of Massachusetts. With the consent of that court, all such actions have been assigned to the Honorable Rya W Zobel.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of Massachusetts and assigned to Judge Zobel.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the District of Massachusetts for the reasons stated in the order of February 12, 2013, and, with the consent of that court, assigned to the Honorable Rya W Zobel.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Massachusetts. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7–day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

**Feb 26, 2014**

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

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**SCHEDULE CTO-31 – TAG-ALONG ACTIONS**

<b><u>DIST</u></b>	<b><u>DIV.</u></b>	<b><u>C.A.NO.</u></b>	<b><u>CASE CAPTION</u></b>
PENNSYLVANIA EASTERN			
PAE	2	14-00834	LEWIS et al v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
PAE	2	14-00847	KING v. NEW ENGLAND COMPOUNDING PHARMACY, INC. et al
TENNESSEE EASTERN			
TNE	3	14-00035	Daugherty v. Total Healthcare Consultants, PLLC et al